

# INTERNATIONAL SEARCH REPORT

International Application No

PCT/EP2004/006544

<b>A. CLASSIFICATION OF SUBJECT MATTER</b> IPC 7 B01J2/04 A23D7/00 A23D7/04		
According to International Patent Classification (IPC) or to both national classification and IPC		
<b>B. FIELDS SEARCHED</b> Minimum documentation searched (classification system followed by classification symbols) IPC 7 B01J A23D		
Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched		
Electronic data base consulted during the international search (name of data base and, where practical, search terms used) EPO-Internal, WPI Data, FSTA, MEDLINE, BIOSIS		
<b>C. DOCUMENTS CONSIDERED TO BE RELEVANT</b>		
Category	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	US 2002/048606 A1 (ZAWISTOWSKI JERZY) 25 April 2002 (2002-04-25) paragraphs [0007] - [0010], [0012] - [0031] paragraphs [0036] - [0041] paragraphs [0043] - [0051] examples 1,2	1,4-7
X	----- BELITZ H.D., GROSCH W.: "Food Chemistry, Second Edition" 1999, SPRINGER-VERLAG, BERLIN HEIDELBERG NEW YORK, XP002264854 ISBN: 3-540-64692-2 page 472; table 10.4 ----- <div style="text-align: center;">-/--</div>	1,4-6
<div style="display: flex; justify-content: space-between;"> <span><input checked="" type="checkbox"/> Further documents are listed in the continuation of box C</span> <span><input checked="" type="checkbox"/> Patent family members are listed in annex.</span> </div>		
* Special categories of cited documents :		
<div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <p>"A" document defining the general state of the art which is not considered to be of particular relevance</p> <p>"E" earlier document but published on or after the international filing date</p> <p>"L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)</p> <p>"O" document referring to an oral disclosure, use, exhibition or other means</p> <p>"P" document published prior to the international filing date but later than the priority date claimed</p> </div> <div style="width: 45%;"> <p>"T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention</p> <p>"X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone</p> <p>"Y" document of particular relevance, the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art.</p> <p>"&amp;" document member of the same patent family</p> </div> </div>		
Date of the actual completion of the international search  <div style="text-align: center; font-weight: bold;">5 November 2004</div>		Date of mailing of the international search report  <div style="text-align: center; font-weight: bold;">28. 01. 2005</div>
Name and mailing address of the ISA European Patent Office, P.B. 5818 Patentlaan 2 NL - 2280 HV Rijswijk Tel (+31-70) 340-2040, Tx 31 651 epo nl, Fax (+31-70) 340-3016		Authorized officer  <div style="text-align: center; font-weight: bold;">Popa, M</div>

# INTERNATIONAL SEARCH REPORT

International Application No

PCT/EP2004/006544

C.(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT		
Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	<p>ANONYMOUS: "Particle sizes of milk powders" DAIRY INGREDIENTS FAX, vol. 2, no. 4, 8 August 2001 (2001-08-08), XP002264853 tables</p> <p style="text-align: center;">-----</p>	1,4-6
X	<p>US 6 468 578 B1 (MAYER KLAUS ET AL) 22 October 2002 (2002-10-22) column 3, line 49 - column 5, line 28</p> <p style="text-align: center;">-----</p>	1,4-7
X	<p>US 4 889 740 A (PRICE JUDITH E) 26 December 1989 (1989-12-26) column 2, line 36 - column 3, line 46 column 4, line 27 - line 41 column 5, line 5 - line 15 column 6, line 2 - line 22</p> <p style="text-align: center;">-----</p>	1,4-7
X	<p>EP 0 021 483 A (PROCTER &amp; GAMBLE) 7 January 1981 (1981-01-07) the whole document</p> <p style="text-align: center;">-----</p>	1,4-7
X	<p>US 2002/034577 A1 (VOGENSEN BENT KVIST ET AL) 21 March 2002 (2002-03-21) examples 7,8 paragraphs [0002], [0012] - [0018] paragraphs [0022], [0025], [0026] paragraphs [0034] - [0040], [0042] paragraphs [0063], [0066] - [0070], [0072] paragraph [0108]</p> <p style="text-align: center;">-----</p>	1,4-6
X	<p>US 6 190 680 B1 (YOSHINO HISAKO ET AL) 20 February 2001 (2001-02-20) column 2, line 18 - line 42 column 5, line 20 - line 61 column 6, line 56 - column 8, line 24</p> <p style="text-align: center;">-----</p>	1,4-6
X	<p>US 4 375 483 A (SHUFORD CHARLES E ET AL) 1 March 1983 (1983-03-01) the whole document</p> <p style="text-align: center;">-----</p>	1,4-7
X	<p>US 5 516 543 A (AMANKONAH OFORI J ET AL) 14 May 1996 (1996-05-14) claims; figure 1; example 13</p> <p style="text-align: center;">-----</p>	1,4-7
X	<p>EP 0 572 051 A (UNILEVER PLC ;UNILEVER NV (NL)) 1 December 1993 (1993-12-01) the whole document</p> <p style="text-align: center;">-----</p>	1,4-7
A	<p>EP 0 744 992 B (WEIDNER ECKHARD ; KNEZ ZELJKO (SI); NOVAK ZORAN (SI)) 4 December 1996 (1996-12-04) cited in the application example 4; table 2</p> <p style="text-align: center;">-----</p>	
	-/--	

# INTERNATIONAL SEARCH REPORT

International Application No

PCT/EP2004/006544

## C.(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
A	US 2 521 219 A (HOLMAN GEORGE W ET AL) 5 September 1950 (1950-09-05) the whole document	
A	----- TÜRK M ET AL: "Micronization of pharmaceutical substances by the Rapid Expansion of Supercritical Solutions (RESS): a promising method to improve bioavailability of poorly soluble pharmaceutical agents" JOURNAL OF SUPERCRITICAL FLUIDS, PRA PRESS, US, vol. 22, no. 1, January 2002 (2002-01), pages 75-84, XP004313515 ISSN: 0896-8446 the whole document -----	7-16

# INTERNATIONAL SEARCH REPORT

International application No.  
PCT/EP2004/006544

## Box II Observations where certain claims were found unsearchable (Continuation of item 2 of first sheet)

This International Search Report has not been established in respect of certain claims under Article 17(2)(a) for the following reasons:

1. ☐ Claims Nos.:  
because they relate to subject matter not required to be searched by this Authority, namely:
2. ☒ Claims Nos.:  
because they relate to parts of the International Application that do not comply with the prescribed requirements to such an extent that no meaningful International Search can be carried out, specifically:  
**see FURTHER INFORMATION sheet PCT/ISA/210**
3. ☐ Claims Nos.:  
because they are dependent claims and are not drafted in accordance with the second and third sentences of Rule 6.4(a).

## Box III Observations where unity of invention is lacking (Continuation of item 3 of first sheet)

This International Searching Authority found multiple inventions in this international application, as follows:

**see additional sheet**

1. ☐ As all required additional search fees were timely paid by the applicant, this International Search Report covers all searchable claims.
2. ☐ As all searchable claims could be searched without effort justifying an additional fee, this Authority did not invite payment of any additional fee.
3. ☐ As only some of the required additional search fees were timely paid by the applicant, this International Search Report covers only those claims for which fees were paid, specifically claims Nos.:
4. ☒ No required additional search fees were timely paid by the applicant. Consequently, this International Search Report is restricted to the invention first mentioned in the claims; it is covered by claims Nos.:

**1-16**

### Remark on Protest

- ☐ The additional search fees were accompanied by the applicant's protest.
- ☐ No protest accompanied the payment of additional search fees.

FURTHER INFORMATION CONTINUED FROM PCT/ISA/ 210

Continuation of Box II.2

Present claim 2, 5 and 6 relate to a product defined (inter alia) by reference to the following parameters:

P1: ... the solid ... particles are at least 50% alpha-polymorph

P2: ... an average diameter D<sub>3,2</sub> of ...

The use of these parameters in the present context is considered to lead to a lack of clarity within the meaning of Article 6 PCT. It is impossible to compare the parameters the applicant has chosen to employ with what is set out in the prior art. The lack of clarity is such as to render a meaningful complete search impossible. Consequently, the search has been restricted to the rest of the features present in the claims.

The applicant's attention is drawn to the fact that claims relating to inventions in respect of which no international search report has been established need not be the subject of an international preliminary examination (Rule 66.1(e) PCT). The applicant is advised that the EPO policy when acting as an International Preliminary Examining Authority is normally not to carry out a preliminary examination on matter which has not been searched. This is the case irrespective of whether or not the claims are amended following receipt of the search report or during any Chapter II procedure. If the application proceeds into the regional phase before the EPO, the applicant is reminded that a search may be carried out during examination before the EPO (see EPO Guideline C-VI, 8.5), should the problems which led to the Article 17(2) declaration be overcome.

FURTHER INFORMATION CONTINUED FROM PCT/ISA/ 210

This International Searching Authority found multiple (groups of) inventions in this international application, as follows:

1. claims: 1-16

Process for obtaining an edible dispersion comprising oil.

---

2. claims: 17-21

Use of micronised fat powder to stabilise an edible dispersion comprising oil.

---

# INTERNATIONAL SEARCH REPORT

Information on patent family members

International Application No

PCT/EP2004/006544

Patent document cited in search report	Publication date	Patent family member(s)	Publication date
US 2002048606 A1	25-04-2002	AT 246880 T AU 2426500 A WO 0045648 A1 CA 2360835 A1 DE 60004479 D1 DE 60004479 T2 EP 1148793 A1 ES 2204503 T3 JP 2002535975 T PT 1148793 T	15-08-2003 25-08-2000 10-08-2000 10-08-2000 18-09-2003 24-06-2004 31-10-2001 01-05-2004 29-10-2002 31-12-2003
US 6468578 B1	22-10-2002	AU 3703399 A BR 9909301 A CA 2327096 A1 DE 69902242 D1 DE 69902242 T2 DK 1065938 T3 WO 9949738 A1 EP 1065938 A1 HU 0101554 A2 PL 343242 A1 SK 14652000 A3 ZA 200004548 A	18-10-1999 21-11-2000 07-10-1999 29-08-2002 06-02-2003 11-11-2002 07-10-1999 10-01-2001 28-10-2001 30-07-2001 11-06-2001 31-08-2001
US 4889740 A	26-12-1989	CA 1339500 C DE 3816978 A1 GB 2208079 A ,B JP 1055146 A JP 2686279 B2	21-10-1997 08-12-1988 22-02-1989 02-03-1989 08-12-1997
EP 0021483 A	07-01-1981	CA 1144815 A1 DE 3066481 D1 EP 0021483 A1 PH 17924 A US 4385076 A	19-04-1983 15-03-1984 07-01-1981 31-01-1985 24-05-1983
US 2002034577 A1	21-03-2002	GB 2335433 A AT 252842 T AU 758730 B2 AU 3269499 A BR 9908951 A CA 2328185 A1 DE 69912408 D1 DE 69912408 T2 EP 1063895 A1 ES 2209488 T3 WO 9948377 A1 NZ 506448 A	22-09-1999 15-11-2003 27-03-2003 18-10-1999 28-11-2000 30-09-1999 04-12-2003 22-07-2004 03-01-2001 16-06-2004 30-09-1999 26-11-2002
US 6190680 B1	20-02-2001	JP 2000157168 A	13-06-2000
US 4375483 A	01-03-1983	CA 1180223 A1 DE 3262751 D1 EP 0063835 A2 PH 17236 A	01-01-1985 02-05-1985 03-11-1982 03-07-1984
US 5516543 A	14-05-1996	AU 674220 B2 AU 6488094 A	12-12-1996 05-01-1995

# INTERNATIONAL SEARCH REPORT

Information on patent family members

International Application No

PCT/EP2004/006544

Patent document cited in search report	Publication date	Patent family member(s)	Publication date
US 5516543	A	CA 2125914 A1 DE 69428397 D1 DE 69428397 T2 DK 630580 T3 EP 0630580 A2 ES 2162836 T3 JP 7041504 A	26-12-1994 31-10-2001 26-09-2002 31-12-2001 28-12-1994 16-01-2002 10-02-1995
EP 0572051	A 01-12-1993	EP 0572051 A1 AT 152880 T AU 3706093 A CA 2095131 A1 DE 69310611 D1 DE 69310611 T2 JP 6319431 A JP 7067362 B US 5362512 A ZA 9303025 A	01-12-1993 15-05-1997 04-11-1993 30-10-1993 19-06-1997 02-10-1997 22-11-1994 26-07-1995 08-11-1994 29-10-1994
EP 0744992	B 04-12-1996	SI 9400079 A CA 2182786 A1 DE 59500808 D1 EP 0744992 A1 GR 3025495 T3 JP 3510262 B2 JP 9508851 T AT 159184 T DK 744992 T3 WO 9521688 A1 ES 2109095 T3 US 6056791 A	31-10-1995 17-08-1995 20-11-1997 04-12-1996 27-02-1998 22-03-2004 09-09-1997 15-11-1997 02-06-1998 17-08-1995 01-01-1998 02-05-2000
US 2521219	A 05-09-1950	NONE	